



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

POST OFFICE BOX 12267
COLUMBIA 29211

June 4, 2007

The Honorable Robert W. Harrell, Jr.
Speaker of the House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am hereby vetoing H. 3409, R-69. Though the legislation was well-intended in an effort to improve the cost of operations at the Charleston Aviation Authority; I am regrettably compelled to veto this legislation because of my record opposing this type of legislation on the grounds of unconstitutionality.

This bill mandates that two members be added to the Charleston County Aviation Authority and that those two members be the Chair and Vice-Chair of the Charleston County Legislative Delegation. The state Constitution clearly prohibits the enactment of special legislation where a "general law can be made applicable." S.C. Const. Art. III, Section 34(IX). The General Assembly has established a general statute addressing the appointment of additional members to county aviation commissions. *See* S.C. Code § 55-1-80, as amended. It is unconstitutional for the General Assembly to pass special legislation, like H. 3409, R-69, in contravention of a general law. Each county's aviation board or commission should be subject to the same general law, whether that includes the Chair and Vice-Chair of the legislative delegation as additional members or not.

Additionally, this bill affects only Charleston County and is, therefore, clearly an act for a specific county. Such acts are in violation of Article VIII, Section 7 of the Constitution of the State of South Carolina, which provides that "[n]o laws for a specific county shall be enacted."

For these reasons, I am vetoing H. 3409, R-69.

Sincerely,

A handwritten signature in black ink, appearing to be "Mark Sanford".

Mark Sanford

cc: The Honorable Wallace Scarborough
The Honorable H. B. "Chip" Limehouse, III